IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8928 OF 2004

Shivaji D. Kulal ... Petitioner

v/s

Janardhan S. Kulal and others ... Respondents

Mr V.V. Purwant for Petitioner.

None for Respondents.

CORAM : D.K. DESHMUKH J.

DATE : 20TH JULY 2005.

P.C. :-

1. Heard learned counsel for the petitioner.

Perused the impugned order. The finding recorded by the Trial Court that the claim of the applicant for being joined as plaintiff was barred by the limitation because the sale deed in favour of the applicant is of the year 1986. Though it is the case of the applicant that the plaintiff No.2 transferred his interest in favour of the applicant, the plaintiff No.2 filed the suit in the year 1998 when transfer by plaintiff No.2 in favour of the applicant is said to be of 19th September 1986. The Trial Court therefore finding that the application was made by the applicant with ulterior motive after the recording of evidence in the suit, has rejected the application. I do not see any patent error of law.

Petition is rejected.

. Parties to act on the copy of this order duly authenticated by the Sheristedar / Personal Secretary of this Court as true copy.

. Certified copy expedited.